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REGION-20 PUBLIC SAFETY LEGISLATIVE/REGULATORY AFFAIRS COMMITTEE



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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

**Biennial Regulatory Review -- Amendment of
Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, &
101 of the Commission's Rules to Facilitate the
Development and Use of the Universal Licensing
System in the Wireless Telecommunications
Services**

WT Docket No. 98-20

COMMENTS

Submitted by:

**Region-20 Public Safety Review Committee
Legislative/Regulatory Affairs Committee
Dr. Michael C. Trahos, D.O., NCE, CET - Chairman
4600 King Street, Suite 6K
Alexandria, Virginia 22302-1213**

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4600 King Street, Suite 6K
Alexandria, Virginia 22302-1213

Date: May 7, 1998

I.

INTRODUCTION

1. Before the Federal Communications Commission (Commission) is a **Notice of Proposed Rule Making¹ (NOTICE)** concerning amendment of multiple rules and regulations as part of the Commission's Biennial Regulatory Review process.

¹ **NOTICE OF PROPOSED RULEMAKING**, WT Docket No. 98-20, FCC 98-25, February 19, 1998.

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2. Pursuant to the authority given by the Commission under the *NPSPAC Report and Order*², the Region-20 Public Safety Planning Committee was created to address the future communications needs and concerns of the PSRS users for Region-20. The obligations of that Committee included the submission to the Commission of a Region-20 Public Safety Radio Communications Plan (Region-20 Plan)³ and establishment of a Region-20 Public Safety Review Committee (Committee) to oversee its implementation.

3. This Committee, representing the PSRS/governmental constituents for Region-20, hereby submits the following **COMMENTS** in response to this **NOTICE**, addressing those issues of concern and their effects upon Region-20 and its constituency.

² **REPORT AND ORDER**, General Docket No. 87-112, FCC 87-359, November 24, 1987, 3 FCC Rcd, at 905, Para. 4 (*NPSPAC Report and Order*).

³ **WASHINGTON, D.C. METROPOLITAN AREA - REGION-20**, General Docket No. 90-7, DA 90-28, January 17, 1990.

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II.

COMMENTS

4. In 1988, the Commission adopted a Report and Order to improve the General Mobile Radio Service (GMRS Order).⁴ This proceeding changed, among several rules, the eligibility to license in the GMRS from unlimited to individuals only, but indefinitely *grandfathered* existing GMRS systems.⁵

5. Prior to the effective date of the GMRS Order, many Public-safety eligibles obtained, and still retain, GMRS license authorizations with their facilities fully constructed and operational nationwide. Within Region-20 are several Public-safety entities licensed in the GMRS, most notably the City of Baltimore, MD (KAB-0381), the County of Fairfax, VA (KAC-8222), and County of Prince Georges, MD (KAB-8404). These Public-safety entities are authorized either repeater or two-frequency simplex operations. This **NOTICE**'s proposed deletions of the current 47 CFR 95.29(a)(3) & 95.53(f) rules would result in intolerable and potentially harmful interference to these Public-safety operations.

6. Prior to the adoption of the GMRS Order, simplex input operations on the 467 MHz input repeater frequencies was common. However this mode of communications became intolerable for GMRS repeater operations. As a result, the Commission adopted 47 CFR 95.29(a)(3), noting that "significant interference to GMRS repeater operations is virtually

⁴ **REPORT AND ORDER**, PR Docket No. 87-265, FCC 88-318, October 13, 1988.

⁵ **Ibid.**, at Paragraph 66.

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inevitable due to non-repeater operations conducted on 467 MHZ frequencies”⁶ and that “the best solution is to prohibit simplex operations on the input frequencies of GMRS repeaters.”⁷

7. The reasoning for the Commission’s adoption of 47 CFR 95.29(a)(3) in 1988 still exists today. Deletion of this rule section will result in potential harmful interference to all Public-safety GMRS repeater licensees. This **NOTICE**’s proposed deletion of 47 CFR 95.29(a)(3) is therefore strongly opposed by Region-20.

8. The **NOTICE** proposes to retain 47 CFR 95.171.⁸ This rule requires, in part, that licensees take “all necessary and reasonable precautions to assure that unauthorized or improper operations do not occur; .”⁹ The **NOTICE** further proposes to delete 47 CFR 95.53(f). The proposed deletion of 47 CFR 95.53(f) would make it virtually impossible for Public-safety repeater licensees to maintain control and be in compliance with 47 CFR 95.171.

9. The **NOTICE**’s proposed deletion of 47 CFR 95.53(f) would subsequently permit non-Public-safety mobiles, of unknown private GMRS systems, unlimited access to Public-safety GMRS repeater systems. Such unauthorized operations would be intolerable to Public-safety operations and could affect the prompt delivery and rendition of medical/emergency services to the public. This **NOTICE**’s proposed deletion of 47 CFR 95.53(f) is therefore strongly opposed by Region-20.

⁶ **Ibid.**, Footnote 3, at Paragraph 56.

⁷ **Ibid.**

⁸ **Ibid.**, Footnote 1, Appendix L.

⁹ **47 CFR 95.171 (b)(2)**

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III.

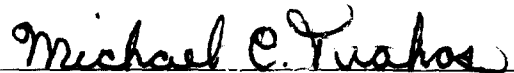
CONCLUSION

10. Before the Commission is this **NOTICE** which proposes multiple changes in its rules and regulations. Certain proposed changes to 47 CFR Part 95 of the Commission's rules will have a detrimental effect on *grandfathered* Public-safety licensed operations.

11. Region-20 strongly opposes the deletion of 47 CFR 95.29(a)(3) & 95.53(f). These proposed rule deletions, should they occur, would result in harmful interference to, and unauthorized operations of, Public-safety GMRS repeater stations. Such harmful interference and unauthorized operations would force *grandfathered* Public-safety GMRS licensees to switch their operations to other Public-safety radio bands, putting additional unnecessary pressure on already scarce Public-safety spectrum resources.

12. Therefore, retention of 47 CFR 95.29(a)(3) & 95.53(f) is in the **public interest**.

Respectfully submitted,



Dr. Michael C. Trahos, D.O., NCE, CET
Chairman - Region-20 RPRC
Legislative/Regulatory Affairs Committee

MCT/mct